

MINUTES
PAGE COUNTY PLANNING COMMISSION
October 10, 2023

Members Present

Catherine Grech, Secretary, District 1
Isaac Smelser, District 4

Jared Burner, Chairman, District 3
William Turner, Vice Chairman, District 5

Members Absent

Chris Adams, District 2

Staff Present

Josh Hahn

Tracy Clatterbuck

Call to Order

Chairman Burner called the October 10, 2023 Page County Planning Commission Regular Meeting to order in the Board of Supervisors (BOS) Room located at the Page County Government Center, 103 S Court Street, Luray, Virginia at 7:00 p.m. The call to order was followed by *The Pledge of Allegiance* and a *Moment of Silence*. Chairman Burner reminded all commissioners and speakers to please turn on and/or speak into the microphones. Ms. Clatterbuck conducted an attendance roll call.

Adoption of Agenda

Mr. Smelser made a motion to adopt the agenda as presented. Mr. Turner seconded the motion. The motion passed unanimously (4-0).

Citizen Comments on Agenda Items

Mr. Hahn noted that nobody had signed up to speak.

New Business

A. Adoption of Minutes- *September 26, 2023*

Chairman Burner allowed time for Commissioners to review the minutes included in the agenda packet. Ms. Grech made a motion to approve the minutes, as presented. Mr. Turner seconded the motion. The motion passed unanimously (4-0).

B. Zoning and Subdivision Subcommittee Report

Ms. Grech stated the subcommittee met, and we were lucky to have two members of the public attend and share their opinions. We mainly discussed site plans, attempting to establish what was state code and what wasn't, what we liked and didn't like. There is still quite a bit of work to do, but we are moving ahead.

Unfinished Business

A. Jeremy Baldwin- Special Use Permit

Ms. Clatterbuck noted that there were a couple things provided to the Planning Commissioners, including a revised site plan. She described the changed locations of the four cabins to a new location. Mr. Baldwin also provided images of possible cabins. She noted that the changes to the draft conditions discussed at the previous meeting were included in the packet. She noted that Ms. Grech had mentioned previously the omission of the number of campsites, so this has been added. She stated that she removed the section on firearms, per

discussion last time. Number 11 was changed to go along with our transient occupancy definition in the proposed campground ordinance. She noted that Mr. Baldwin had no problem with this. She noted that Mr. Baldwin was present to answer any questions. She noted that we do not have any engineered plans and he is still working with Racey Engineering. Ms. Grech asked if these are the plans that will show where the bathrooms will go, since the current plan does not show where the bathrooms will go. She asked if it can be sent to public hearing without those plans. Chairman Burner stated that the Health Department is going to have to approve it, regardless. As long as it meets the Health Department's requirements, it doesn't really matter where they are located. Ms. Clatterbuck stated that she doesn't think this should hold it up, but this is up to the Planning Commission.

Ms. Grech thanked Mr. Hahn for the revised plan. She stated that the access road passes really close to poultry houses. She asked Mr. Baldwin if he is concerned or if those he grows for have any concerns regarding biohazards. Mr. Baldwin stated that he used to grow for Pilgrims and now he grows for SVR, and it has never been an issue for them in the past for the companies he grows for. Ms. Grech noted concerns in the past over avian flu where people were not permitted to be near poultry houses, and there could be dozens of people. She asked if Mr. Baldwin sees this as a problem, and Mr. Baldwin stated no. Chairman Burner asked how many birds do they put in. Mr. Baldwin answered 15,800 in each of the three houses. Ms. Grech stated presumably the birds are not coming in or out when the campers are, and Mr. Baldwin confirmed. Ms. Grech stated that these are nice looking cabins. Mr. Baldwin stated that these are just representations on what they might look like.

Ms. Grech expressed concern over the road conditions. There was discussion about safety and emergency vehicles. She noted that it was a steep hill to the area. Chairman Burner stated he thinks that this is the responsibility of the property owner. Ms. Grech asked what the existing ordinance states about the maintenance of the road, and she noted that it doesn't say much. Mr. Turner agreed that this is up to him. Mr. Baldwin stated that improving the road too much will mean more people will drive too fast. Ms. Grech stated that the answer to that would be a well-maintained road with speed bumps. Mr. Baldwin stated that this might require speed bumps every ten feet. Ms. Grech recommended Mr. Baldwin remove the old trailers that are there, as he had indicated he would. Ms. Grech stated that she didn't have anything else.

Mr. Smelser made a motion to send the special use permit (SUP) application for Mr. Baldwin to the next possible public hearing. Ms. Clatterbuck stated that the next date would be November 14. Mr. Turner seconded. Chairman Burner asked for a roll call. The motion passed unanimously (4-0).

B. Discussion of Banquet/Event Facilities

Mr. Hahn noted that we did not spend too much time on this last time, so we don't have any draft regulations. He noted that Ms. Grech had a list of questions, included in the minutes from the last meeting, which he thinks might aid discussion tonight. He also noted that Economic Development Director Nina Fox was also present tonight to discuss this issue, especially as it relates to her work with events and festivals. Ms. Grech asked if Ms. Fox could come to the podium and Chairman Burner agreed. Ms. Grech thanked Ms. Fox for coming, and Ms. Fox thanked the Planning Commission for being included in the dialogue. Ms. Grech stated she thinks it is important to involve her at an early stage. She asked her to share with her some of her concerns with banquet and event facilities.

Ms. Fox stated this this was an important topic for economic development and tourism. The Tourism Council has had several conversations as it relates to business development, and they have been asked to weigh in on certain subjects. Data show that we offer a premium quality product to the tourism industry. Our average nightly occupancy rate is double the national average, which indicates that our properties are higher in value and more in demand. Ms. Grech asked if she was talking about short-term rentals, not about venues. Ms. Fox agreed, but stated that for people searching for our area as a destination, these are similar things people are looking for. We can relate the data for lodging to the demographic of people coming to venues. We want to preserve a quality experience, and not just have a facility here and there, but be careful and deliberate in the planning and thought process. Ms. Fox stated when they discussed what would be the ideal event venue space, the general consensus was that this would be a minimum of 15 acres. This would preserve the privacy and intimacy of the setting. When you have a wedding venue at a location where nearby property owners don't want it and we are spending money to promote people to come here, it can have an adverse effect on our ability to market, bad reviews...we see it in social media all the time.

Ms. Grech stated that if she is understanding Ms. Fox correctly, the goal is to maintain the high-quality image of our tourism venues, in general, whether they are short-term rental or venues. She asked Ms. Fox how they arrived at the 15 acres. Ms. Fox stated that she thinks they looked at existing venues that they believed to be higher quality. She mentioned Faithbrooke Farm, which may not have quite that amount of acreage. She mentioned Shenandoah Woods, which has a lot of privacy and is not next to permanent residential communities. She mentioned Brenwood, which had a lot of privacy and is high quality. She mentioned River's Bend Ranch as another great example in its setting. Chairman Burner asked if a goal was agritourism, would it be possible to put in a wedding venue on 15 acres and still have enough of a farming operation, once you account for parking. Ms. Fox referred to Shenandoah Woods, and stated that a lot of the land and scenic beauty is overlooking cornfields. The issue is when you have a five-acre parcel where a lot of the area is a parking lot for a venue. Chairman Burner agreed, adding that he doesn't think 15 acres is big enough. He thinks it should be closer to 25 acres in order to preserve that experience. Ms. Fox agreed, adding that the idea was 15 acres would be a minimum, not a maximum.

Ms. Grech asked what the typical size was for a parking spot. Mr. Smelser stated 10 by 20, and Mr. Hahn agreed. She asked what the average size of a wedding venue was, estimating this was about 100 people. Ms. Fox suggested 150. If you multiply 100 parking spaces at 200 square feet, that is quite a chunk of land, and this doesn't include the road that leads to the parking. And that area can't be set on top of a drainfield. There was more discussion about this. She noted that this reinforces Ms. Fox's idea for a larger site. She cited neighbor complaints regarding a recent wedding venue SUP. She stated we need to think about the setbacks, drainfields, the parking lot – you cannot have a good wedding venue that has the privacy and respect for scenic beauty and rural character on a small lot. We need to do some research into what the appropriate size should be. This is what we did with campgrounds, and Mr. Hahn was really helpful with this. She asked Mr. Hahn if he had any comments. Mr. Hahn asked if we were thinking about this with just wedding venues in mind, or are their other types of banquet facilities that might change what we would want to be a minimum lot size. Ms. Fox agreed that there is a difference between what a wedding venue would require and the space necessary for a baby shower or bridal shower. She doesn't know the challenges in writing an ordinance, but some of the smaller-scale type of facilities would be wonderful to have. We don't have those because everyone is competing for these larger wedding venues. Ms. Grech stated that this sounds something like a sliding scale, where a maximum of 50

people would be treated differently from 50 people. She asked what the largest wedding venue is in Page County. Ms. Fox estimated that this would be about 200. Ms. Fox thinks that a sliding scale would be phenomenal. It is really important to economic development and tourism to promote the development of unique offerings in our community. What we don't want to do is oversaturate a particular area. We are seeing more and more of our wedding venue partners reach out for help. Things are slowing a bit. The market is moving towards more private elopement-style facilities. It is part of our responsibility to promote business that is sustainable and makes sense for that type of investment. She is concerned about creating more wedding venues that will be in direct competition with our established businesses, because we want them to be sustainable. Chairman Burner stated venues seem to be somewhat established. We're at a pivotal point where we're either going to make it better and sustainable or we're going to oversaturate the market and make it not worth anyone doing. Ms. Grech compared this to discussions during the campground ordinance. She thinks it is important that we keep a certain quality image of Page County that is reflective of our respect for the rural quality of our offerings. Ms. Fox agreed, stating we need to preserve the quality of experience. She added that we need to consider the difference between wedding venues and lodging and campgrounds, and remember that lodging actually directly impacts not just the real estate tax but also TOT, whereas wedding venues has no surplus tax. She noted that in 2021, the wedding venue partners wanted a hotel study because guests were staying at hotels in neighboring counties and being bussed to the venues. So, we weren't the recipients of the TOT money.

Mr. Smelser asked if Ms. Fox feels we don't have enough beds in the county, or if it was more that people just wanted a hotel environment. Ms. Fox answered that often when people are traveling for a wedding, they want to stay together. If they can stay on site, they do. If not, they want to stay together in a hotel. We don't have those options readily available. Chairman Burner asked if the short-term rental market is as saturated as the wedding venue is. Ms. Fox answered that she doesn't think so. There is a buzz in the cabin industry in Page County, and the occupancy reports that we generate show that we have more advanced bookings than any of our neighboring localities. Ms. Grech asked what our occupancy rate is right now, and Ms. Fox answered that it is about 67% right now. This is an average annual rate, and it has dropped since our COVID days. However, our TOT has greatly increased, because most of the property owners increased their rental rates by 25% and are still sustaining with that.

There was more discussion. Ms. Fox indicated that her group would be happy to review any recommendations the Planning Commission wanted to put forward. Ms. Grech mentioned a recent application where the applicant intended to use a tent for the venue while the barn was upgraded. She stated that she does not want to see wedding venues that consist exclusively of a tent and a porta potty. This is lowering our standards. Ms. Fox expressed agreement. There was more discussion. She doesn't mind there being a tent in addition of, but she doesn't want a tent in lieu of. She asked Ms. Fox about her opinion. Ms. Fox stated that her professional opinion, which she would share with the Tourism Council, is that this would not be a direction she would like to see our County move forward in. It is concerning not only because it does not emphasize the quality we want to embody, but it can deteriorate what our other businesses have already invested in to create beautiful structures. Ms. Grech agreed. Chairman Burner asked if we would have any additional tax revenue from a temporary structure, and Ms. Fox answered no.

There was more general discussion about how venues and event facilities relate to festivals. Ms. Fox stated that she isn't saying we should limit what residents are able to do on their own

properties temporarily as a festival permit, but as a business [there should be higher standards].

Ms. Clatterbuck asked how Ms. Fox felt about allowing tents for small-scale venues, such as what we discussed regarding a sliding scale. Ms. Fox stated that she thinks temporary structures concern her at any level. Ms. Grech agreed. There was further discussion about how Page County has been featured in national publications regarding its beautiful wedding venues. Ms. Grech stated that porta potties have their applications, but not wedding venues.

Mr. Turner asked if someone wanted to come on the property and have a hospitality tent, how would we regulate that. Ms. Grech stated that this would be more part of a festival permit, not a venue. Ms. Clatterbuck stated that tents require a building permit based on certain number of occupants and square footage. There was discussion about tents for festival permits. Ms. Grech recommended that once we have event venue ordinance language that we like, it may behoove us to make sure there are no contradictions with the festival ordinance. There was more discussion. Ms. Fox stated that we may need to set a cap in the number of events per parcel per year before it must be considered an event facility. Ms. Grech agreed. Chairman Burner asked if we did something like that, could someone use the festival permit to have a minimum number of weddings per year. Ms. Fox stated that the Board of Supervisors would have the ability to say no to that. There was more discussion. Chairman Burner stated that there is a gap between zero and 100. Ms. Grech stated that these ordinances need to talk to each other. Ms. Fox noted that festivals are being monitored more closely this year than they have in the past. Ms. Grech stated that it would not be very difficult to define an event venue and a festival very differently so there is no overlap. Ms. Clatterbuck stated that when the Zoning Office enforced Chapter 55, we never had one person go before the Board of Supervisors for a wedding. Ms. Fox stated that the festival permit includes music festivals and events. There was more discussion, and Ms. Fox agreed that she could see some people using the festival permit as an opportunity to circumnavigate an SUP.

Ms. Grech asked Ms. Fox how she felt about having an onsite operator for a wedding venue. Ms. Fox said she would have to think about it. She sees it both ways. Mr. Hahn added that one thing to keep in mind is that this ordinance is about more than just wedding venues. Ms. Grech stated that this might be a question of the scale. Chairman Burner stated that it is the responsibility of the owner/operator to enforce the rules, and if they aren't there to enforce the rules, they leave themselves open. But he understands for a rehearsal why people wouldn't want the owner there for a private ceremony. He feels the owner has to be there at some point. Ms. Fox noted that the deposits for these types of events are very significant. She asked what the fear is that would necessitate having onsite operators. Chairman Burner suggested it would be to enforce the noise ordinance and closing down. Ms. Fox stated that she would assume that most operations have people come in and shut down the facilities when they are supposed to shut down.

Ms. Grech asked about fencing requirements, and she cited some of the conversations during short-term rental and campground conversations. Ms. Fox stated that if we set the minimum acreage high enough, there may be no reason for a fence. If it is a smaller lot, we may want a fence. Ms. Grech stated that this should probably be part of the SUP, then, rather than a standard. Chairman Burner noted that even with 25 acres, there is still a possibility of someone crossing over to somebody else's property. There was more discussion. Chairman Burner thinks we should get a draft, we should get the Tourism Council to review it.

Mr. Smelser asked if this also applied to Commercial property. What if he had five acres of Commercial? Would he need 25 acres? Ms. Fox stated that she thinks this is a different topic for Commercial properties. There is a difference between agritourism-type venues and a hotel/convention center. Chairman Burner agreed, stating that he doesn't think there needs to be an acreage in Commercial so long as setback are met, since this is where we want to see them located to begin with. We should incentivize that. Ms. Clatterbuck stated that we should keep this in mind when we're drafting it, as venues are allowed by-right in the Commercial District. Ms. Fox agreed, and she added that weddings are only one type of venue to consider. There is also interest in there being corporate retreat locations. Ms. Grech asked if most events are wedding as opposed to corporate retreats, and Ms. Fox answered yes. Chairman Burner asked if the county has tried to market those other types of uses. Ms. Fox stated that there have been detailed conversations about corporate retreat planning,. The biggest issue has been the lack of reliable high-speed internet.

Mr. Smelser and Ms. Grech thanked Ms. Fox. Mr. Hahn stated he would have a draft to discuss at the next meeting. Ms. Grech offered her assistance, as she has been working on a draft. Mr. Hahn noted that this exists as supplement regulations, not a separate ordinance. He wanted to make sure they expected to keep this as merely supplemental regulations, if more detailed, and the Planning Commissioners agreed.

C. Zoning Ordinance Amendment- Quarries

Mr. Hahn referenced the new draft included in the packets. He stated we will need to spend some time on the existing comments in the redline version in the packet. He asked if the Chairman wanted him to move through the document, and Chairman Burner agreed.

Discussion included the following:

- Whether to keep using "quarry operation" or use some other terminology such as Extraction or Processing of Minerals as some other counties do: General consensus was to keep using quarry operation.
- Whether to add "Sale and distribution shall be predominately of material extracted on-site: There was lengthy discussion. There was some concern that adding this language might actually create the ability to make the operation more about reselling material from offsite. General consensus was to remove this added language.
- Regarding new language for roads to be "adequate to the size and type of use." Ms. Grech agreed in general, but objected because it is vague and sets a low bar. Chairman Burner asked if VDOT would be making this determination. Ms. Grech reminded those present that we can be more exacting than VDOT in the conditions of an SUP. Mr. Hahn recommended borrowing language from other ordinances that require a response from VDOT. Chairman Burner recommended requiring a traffic study.
- Regarding new language for blasting, regulating vibration and overpressure (noise) that was borrowed from Rappahannock County: The concern was that this would be very difficult for staff to enforce. Rappahannock County does not have quarries, and Mr. Hahn determined that enforcement of these kind of rules in that county seems to place the burden of proof on those making a complaint. This would be difficult and expensive for adjacent property owners to prove. There was lengthy discussion. Mr. Grech said that with anything we discuss, we need to consider whether this is a use we want to encourage or discourage. She asked if general consensus has been to leave blasting to SUP, and Mr. Hahn agreed. She stated we could just disallow blasting. Mr. Turner said you wouldn't have a quarry if you couldn't blast, and Chairman Burner agreed. Mr. Turner stated that he would look for a quarry to be

operated under good guidelines and not be nuisance to people. Mr. Hahn agreed, noting that this is what Mr. Lanham also said. He also noted that what he has heard is that blasting is probably not as big a deal as we might think, though consistent rock-crushing may create more noise than we think. Mr. Hahn suggested maybe requiring an environmental or mitigation study and then requiring conditions be considered based on the results of that study. He also suggested a mitigation plan option, requiring the applicant to show where and how often they will check vibrations and air-over-pressure. General consensus was that Mr. Hahn pursue some of these ideas.

- Regarding stagnant pools of water and not blasting during periods of high wind, etc. (numbers 10 and 11 in the 10/6/23 draft): Ms. Grech stated that she had no problem with the new language.
- Regarding the requirement for a quarry operator to maintain liability insurance of at least \$200,000. General consensus was that this amount was too low. Mr. Hahn stated he would do more research on this number.

Open Citizen Comment Period

Mr. Hahn noted that nobody had signed up to speak.

Chairman's Report

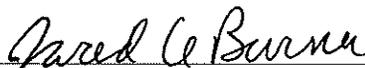
Chairman Burner indicated he did not have a report.

Clerk's Report

Ms. Hahn indicated he had nothing to report. Ms. Clatterbuck stated that there would be another SUP application for a venue at the next meeting.

Adjourn

Mr. Smelser made a motion to adjourn. The motion was seconded by Ms. Turner. The motion passed unanimously. The meeting was adjourned at 8:26 p.m.



Jared Burner, Chairman